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An Act To Authorize Bond Issues for Ratification by the Voters for the June 2010 Election

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$62,000,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. A-2. Records of bonds issued kept by Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. A-3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Department of Transportation.

Sec. A-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

DEPARTMENT OF TRANSPORTATION

General Fund

	\$31,000,000
Provides funds for highway improvements, including \$28,000,000 for state highway reconstruction and paving and \$3,000,000 for a municipal highway challenge grant program.	
	\$22,000,000
Provides funds for railroads, including \$17,000,000 to purchase and preserve approximately 240 miles of railroad track in Aroostook County currently owned and operated by the Montreal, Maine and Atlantic Railway and \$5,000,000 to purchase a portion of rail line and to make other improvements related to improved freight rail service and preparation for future passenger rail service to Lewiston and Auburn.	
	\$9,000,000
Provides funds for marine-related improvements, including \$8,000,000 for the Ocean Gateway deep water pier and \$1,000,000 for challenge grants from the Small Harbor Improvement Program.	

Sec. A-7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Part.

Sec. A-8. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. A-9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Part, are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. A-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in the month of June following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a \$62,000,000 bond issue for improvements to highways, railroads and marine facilities, including port and harbor structures, which will create jobs in Maine?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

PART B

Sec. B-1. PL 2009, c. 414, Pt. C, §1 is amended to read:

Sec. C-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding ~~\$10,250,000~~\$17,250,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. B-2. PL 2009, c. 414, Pt. C, §6 is amended to read:

Sec. C-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

Safe Drinking Water Revolving Loan Fund

~~\$3,400,000~~ \$5,400,000

Provides funds for a drinking water revolving loan fund to acquire, design, plan, construct, enlarge, repair, protect or improve drinking water supplies or treatment systems to be matched by ~~\$17,000,000~~\$27,000,000 in other funds.

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

Small Community Grant Program

~~\$1,000,000~~ \$2,800,000

Provides funding for grants to towns to help replace malfunctioning septic systems that are polluting a water body or causing a public nuisance.

**Wastewater Treatment Facility State
Revolving Loan Fund**

~~\$3,000,000~~ \$6,200,000

Provides funds for a wastewater treatment facility state revolving loan fund to be matched by ~~\$15,000,000~~\$31,000,000 in other funds.

Uncontrolled Sites

\$750,000

Provides funds to investigate and clean up uncontrolled hazardous substance contamination at sites posing unacceptable threats to public health and water quality.

**Wastewater Treatment Facility Construction
Grants**

\$600,000

Provides funds for wastewater treatment facility construction grants to be matched by \$900,000 in other funds.

Overboard Discharge

\$500,000

Provides funds to assist homeowners whose homes are serviced by substandard or malfunctioning waste water treatment systems, including straight pipe discharges, individual overboard discharge systems, subsurface waste water disposal systems, septic tanks, leach fields and cesspools, which systems result in direct discharges of domestic pollutants to the surface waters of the State.

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES
Agriculture Water Source Development
Program**

\$1,000,000

Provides funds to assist farmers in the development of environmentally sound water sources to manage weather-related risk and to comply with in-stream flow rules that will leverage \$350,000 in other funds.

Sec. B-3. PL 2009, c. 414, Pt. C, §10 is amended to read:

Sec. C-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in June 2010 following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a ~~\$10,250,000~~\$17,250,000 bond issue to improve water quality, support drinking water programs and the construction of wastewater treatment facilities and to assist farmers in the development of environmentally sound water sources that will leverage ~~\$33,250,000~~\$59,250,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

PART C

Sec. C-1. PL 2009, c. 414, Pt. D, §1 is amended to read:

Sec. D-1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding ~~\$33,500,000~~\$43,500,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. C-2. PL 2009, c. 414, Pt. D, §6 is amended to read:

Sec. D-6. Allocations from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

PUBLIC UTILITIES COMMISSION

Public Utilities Commission

\$12,000,000

Provides funds for weatherization and energy efficiency programs for low and middle income households and small businesses. If the energy efficiency programs of the commission are transferred to another entity established by the Legislature, the commission shall transfer all unexpended funds to that entity.

\$5,000,000

Provides funds for large energy efficiency and conservation projects focusing on the industrial and commercial sectors in Maine. The Efficiency Maine Trust will manage the funds in coordination with ongoing programs and in a manner consistent with long-term state goals and will leverage an anticipated \$25,000,000 in other funds.

UNIVERSITY OF MAINE SYSTEM

University of Maine System

\$9,500,000

Provides funds for energy and infrastructure upgrades at all campuses of the University of Maine System.

MAINE COMMUNITY COLLEGE SYSTEM

Maine Community College System

\$5,000,000

Provides funds for energy and infrastructure upgrades at all campuses of the Maine Community College System.

MAINE MARITIME ACADEMY

Maine Maritime Academy

\$1,000,000

Provides funds for energy and infrastructure upgrades at the Maine Maritime Academy.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

Maine Marine Wind Energy Demonstration Site Fund

~~\$6,000,000~~ \$11,000,000

Provides funds for research, development and product innovation associated with developing one or more ocean wind energy demonstration sites. It will also provide funding for robotics equipment to accelerate wind energy components manufacturing in Maine. The funds will leverage \$24,500,000 in other funds.

Sec. C-3. PL 2009, c. 414, Pt. D, §10 is amended to read:

Sec. D-10. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in June 2010 following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a ~~\$33,500,000~~\$43,500,000 bond issue to provide for investments in ~~weatherization~~residential and industrial energy efficiency projects; for infrastructure and energy efficiency upgrades at campuses of the University of Maine System, the Maine Community College System and the Maine Maritime Academy; and for the creation of a fund to develop one or more ocean wind energy demonstration sites and for robotics equipment to accelerate wind energy components manufacturing in Maine that will leverage \$49,500,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

SUMMARY

Part A authorizes a \$62,000,000 bond issue for improvements to highways, railroads and marine facilities, including port and harbor structures. Part A requires a June 2010 referendum.

Part B increases the amount of the bond request in Public Law 2009, chapter 414, Part C for the Safe Drinking Water Revolving Loan Fund, the Small Community Grant Program and the Wastewater Treatment Facility State Revolving Loan Fund.

Part C amends Public Law 2009, chapter 414, Part D to authorize a \$5,000,000 bond issue for large energy efficiency and conservation projects that focus on the industrial and commercial sectors in Maine and to increase the amount of the bond request for the Maine Marine Wind Energy Demonstration Site Fund in order that the program can accelerate wind energy components manufacturing in Maine.